

Motherwell, 19 August 2002 at 9.30 am.

A Special Meeting of the **GENERAL PURPOSES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor Holloway, Convener; Councillors Barrie, Connelly, Devine, Gormill, Homer, Love and J. Martin.

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

The Administrative Officer; Chief Solicitor (Licensing), and Senior Solicitor (Licensing).

ALSO IN ATTENDANCE

Superintendent McKenzie and Constable Lannigan, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Chadha and Hebenton.

TAXI OPERATOR'S LICENCE - RENEWAL

1. The Sub-Committee considered an application for the renewal of a Taxi Operator's Licence, and resolved as follows, viz:-

Applicant: David Peat, 99 Earlston Crescent, Carnbroe, Coatbridge

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

PRIVATE HIRE CAR DRIVER'S LICENCE

(1) NEW APPLICATION

2. The Sub-Committee considered an application for a Private Hire Car Driver's Licence, and resolved as follows, viz:-

Applicant: Gerard Arthur McManus, 55 Balcurvie Road, Easterhouse, Glasgow

Decided: that the application by Gerard Arthur McManus for a Private Hire Car Driver's Licence be granted.

(2) COMPLAINT

3. The Chief Solicitor (Licensing) advised (1) that a complaint had been received from the Chief Constable, Strathclyde Police relative to the behaviour of Kenneth John McMillan, 25 Slakiewood Avenue, Gartcosh who currently held a Private Hire Car Driver's Licence; (2) that Kenneth John

McMillan's Licence had subsequently expired and no application had been received for its renewal, and (3) that no further action required to be take in this respect.

Decided: that it be noted that Kenneth John McMillan's Private Hire Car Driver's Licence had expired and that no further action required to be taken.

HEARINGS

(1) TAXI DRIVER'S LICENCE - NEW APPLICATIONS

(a) ROBERT KENNEDY, 11 BELLVUE WAY, CARNBROE, COATBRIDGE

4. The Chief Solicitor (Licensing) advised (1) that an application by Robert Kennedy, 11 Bellvue Way, Carnbroe, Coatbridge for a Taxi Driver's Licence had been received; (2) that a late objection to the application had been received from the Chief Constable, Strathclyde Police, and (3) that Robert Kennedy had spent convictions.

Superintendent McKenzie then explained the reason for the objection by the Chief Constable being submitted late and the applicant advised that he objected to the late objection by the Chief Constable being considered.

The applicant then tabled a letter from the Scottish Human Rights Centre in support of his objection to the late objection by the Chief Constable being considered.

The Sub-Committee then decided that the late objection by the Chief Constable be considered.

The Sub-Committee, having enquired as to the age and general nature of the spent convictions, were provided, in broad terms, with such information by Superintendent McKenzie who advised why, in the Chief Constable's opinion, full details of Robert Kennedy's spent convictions should be disclosed. The applicant then advised that he had no objections to the spent convictions being disclosed.

The Sub-Committee then heard Superintendent McKenzie give details of the spent convictions and outline the Chief Constable's objections and Robert Kennedy speak in support of his application.

Thereafter, the applicant and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Robert Kennedy for a Taxi Driver's Licence be granted.

(b) FRANCIS ROBERT LENNON, 74D DEEDES STREET, AIRDRIE

5. The Chief Solicitor (Licensing) advised (1) that an application by Francis Robert Lennon, 74D Deedes Street, Airdrie for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

The Administrative Officer indicated that Francis Robert Lennon was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in the applicant's absence.

Decided: that the application by Francis Robert Lennon for a Taxi Driver's Licence be refused.

(2) TAXI OPERATOR'S LICENCE

(a) RENEWAL - ROBERT McGOLDRICK, 31 CALDERVIEW AVENUE, COATBRIDGE

6. With reference to paragraph 2 of the Minute of the special meeting of this Sub-Committee held on 29 July 2000, the Chief Solicitor (Licensing) advised (1) that consideration of an application by Robert McGoldrick, 31 Calderview Avenue, Coatbridge for the renewal of his Taxi Operator's Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application, and (2) that Robert McGoldrick had written to the Council advising that, due to work commitments, he was unable to be in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in the applicant's absence.

Decided: that consideration of the application by Robert McGoldrick for a Taxi Operator's Licence be continued to allow Robert McGoldrick another opportunity to appear before the Sub-Committee to speak in support of his application.

(b) VARIATION - EDWARD KEARNEY, 22 BRAEDALE AVENUE, MOTHERWELL

7. With reference to paragraph 3 of the Minute of the special meeting of the Sub-Committee held on 24 June 2002, the Chief Solicitor (Licensing) advised that consideration of an application by Edward Kearney, 22 Braedale Avenue, Motherwell for a variation of his Taxi Licence to remove Mr. Edward Kearney, Mrs. Margaret Kearney and Mr. Edward Kearney junior from his Licence and add Miss Margaret Kearney and Mr. Craig Smillie, 6 Greenknowe Street, Overtown to the Licence.

The Sub-Committee then heard Mr. Kearney, Miss Kearney and Craig Smillie speak in respect of the application.

Thereafter, Mr. Kearney, Miss Kearney, Craig Smillie and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. Kearney, Miss Kearney, Craig Smillie and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Mr. Kearney to vary his Taxi Licence to remove Mr. Edward Kearney, Mrs. Margaret Kearney and Mr. Edward Kearney junior and add Miss Margaret Kearney to the Licence and Craig Smillie as the day to day manager of the Licence be granted.

(3) AMUSEMENTS WITH PRIZES GAMING MACHINE PERMIT - NEW SECTION 34 APPLICATION - STEPHEN MALONE, 20A SHOTTSKIRK ROAD, SHOTTS

8. The Chief Solicitor (Licensing) (1) advising that a Section 34 application for an Amusement with Prizes Gaming Machine Permit by Stephen Malone, 20A Shottskirk Road, Shotts in respect of the premises at Popinn Café, 43 Main Street, Shotts had been received, and (2) that the Director of Education had objected to the application and had indicated that he could not be represented at the meeting.

The Sub-Committee then heard Stephen Malone speak in respect of his application.

Thereafter, the applicant and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant and representatives of the Police were then re-admitted to the meeting.

Decided: that the Section 34 application by Stephen Malone for an Amusement with Prizes Gaming Machine Permit be granted.